

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Benjamin K. Hall
Debtor(s)

Bankruptcy Case No.: 13-23285-JAD
Doc. # 154
Chapter: 13
Docket No.: 155 – 154
Concil. Conf.: February 16, 2017 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **December 8, 2016**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **December 23, 2016**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **February 16, 2017 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: October 24, 2016

Jeffery A. Deller
United States Bankruptcy Judge

cm: All Creditors and Parties In Interest

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Imaged Certificate of Notice Page 3 of 3

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Benjamin K. Hall
DebtorCase No. 13-23285-JAD
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: msch
Form ID: 410Page 1 of 1
Total Noticed: 12

Date Rcvd: Oct 24, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2016.

db
14213710 +Benjamin K. Hall, 109 Ivans Lane, Tarentum, PA 15084-3903
13687714 Bank of America, N.A., PO BOX 31785, Tampa FL 33631-3785
13769330 +Bank of America, N.A., 7105 Corporate Drive PTX C35, Plano TX 75024-4100
+Bank of America, N.A., c/o KML Law Group, P.C., 701 Market Street, Suite 5000,
Philadelphia, PA 19106-1541
13704310 Comcast, P.O. Box 3001, Southeastern, PA 19398-3001
13704311 +Fawn-Frazier Joint Water Auth., 326 Donnellville Road, Natrona Heights, PA 15065-3015
13704313 +Glassmere Fuel Services, P.O. Box 187, Curtisville, PA 15032-0187
13687715 +KML Law Group, P.C., BNY Mellon Independence Center, 701 Market Street, Suite 5000,
Philadelphia PA 19106-1541
13704314 +Richard S. Adamik, 142 Callen Road, Sarver, PA 16055-1304

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13729536 +E-mail/Text: bncmail@w-legal.com Oct 25 2016 01:45:19 ALTAIR OH XIII, LLC,
C O WEINSTEIN AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
13704312 +E-mail/Text: bankruptcy@firstenergycorp.com Oct 25 2016 01:45:12 First Energy,
800 Cabin Hill Drive, Greensburg, PA 15601-1650
13725448 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 25 2016 01:44:53
Pennsylvania Department of Revenue, Bankruptcy division, P O Box 280946,
Harrisburg P A 17128-0946

TOTAL: 3

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr BANK OF AMERICA

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2016

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor BANK OF AMERICA agornall@goldbecklaw.com,
bkggroup@goldbecklaw.com/bkggroup@kmlawgroup.com
Michael S. Geisler on behalf of Debtor Benjamin K. Hall m.s.geisler@att.net,
msgeis@yahoo.com;michaelgeisler13@gmail.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4